

Received 10/23/06
MSHA/OSRV

PENNSYLVANIA BLUESTONE ASSOCIATION
PO BOX 247
MESHOPPEN PA 18630

October 23, 2006

MSHA
Office of Standards, Regulations
and Variances
1100 Wilson Blvd. Room 2350
Arlington, VA 22209-3939

To Whom it May Concern:

This letter is to respectfully comment on the key proposed changes of the new Miner Act. These comments are of the opinion of the Pennsylvania Bluestone Association that is represented by quarrymen from Northeast Pennsylvania. Herein we represent the Pennsylvania Bluestone Association. Although a point based system may be of fair and added value to the program, our concerns are that the rates of penalty will directly affect small business owners and in retrospect our economy in Northeast Pennsylvania. Current penalties on 504(D)(1) citations are reasonable. The proposed increase of 3,600% seems to be unreasonable. We understand that flagrant violations need to be addressed but less severe violations should be based on a much smaller scale.

We also feel a key proposed change that would involve the operation to have 24 hours to correct any given violation would create an atmosphere of compliance rather than protest of M.S.H.A. upon there visits.

We believe our above ground open pits are under the same rules and regulations of more dangerous mine operations. We wish the department would consider a separate division of rules and regulations for above ground dimensional quarries in Northeast Pennsylvania.

In closing, we would like to say that along with rising costs in every other facet of our industry, including but not limited to fuel and insurance, that the proposed changes will greatly and directly effect our quarry workers in Northeast Pennsylvania. We believe we have a track record of the best safety in all mining in Pennsylvania and possibly the country but keep getting punished financially for this record. We regret any lives lost in the industry nationally and realize that one loss is too many. We hope you consider our comments and concerns throughout the process of this change.

We Remain Respectfully Yours,



Robert A. Coleman
President of Pennsylvania Blue Association

CC: P.B.A. Directors
CC: United State Congressman Don Sherwood, 10th District of PA
CC: House Representative Sandra Major, District 111 of PA

AB51-COMM-50